

1 MICHAEL A. JACOBS (CA SBN 111664)
2 MJacobs@mofo.com
3 ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
3 MORRISON & FOERSTER LLP
4 425 Market Street
San Francisco, California 94105-2482
Telephone: 415.268.7000
5 Facsimile: 415.268.7522

6 KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsfllp.com
7 HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsfllp.com
8 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
9 Washington DC 20005
Telephone: 202.237.2727
10 Facsimile: 202.237.6131

11 WILLIAM CARMODY (*Pro Hac Vice*)
bcarmody@susmangodfrey.com
12 SHAWN RABIN (*Pro Hac Vice*)
srabin@SusmanGodfrey.com
13 SUSMAN GODFREY
1301 Avenue of the Americas, 32nd Floor
14 New York, NY 10019-6023

15 Attorneys for Defendants
16 UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,
21 Plaintiff,
22 v.
23 UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,
24 Defendants.

25 Case No. 3:17-cv-00939-WHA

26 **DECLARATION OF MICHELLE
YANG IN SUPPORT OF PLAINTIFF
WAYMO LLC'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL ITS
OPPOSITION TO DEFENDANTS
UBER TECHNOLOGIES, INC. AND
OTTOMOTTO, LLC'S MOTION TO
EXCLUDE ONE OF THREE
OPINIONS PROFFERED BY WAYMO
EXPERT JIM TIMMINS (DKT. 1773)**

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1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
 3 declaration based upon matters within my own personal knowledge and if called as a witness, I
 4 could and would competently testify to the matters set forth herein. I make this declaration in
 5 support of Plaintiff Waymo LLC's Administrative Motion to File Under Seal Its Opposition to
 6 Defendants Uber Technologies, Inc. and Ottomotto, LLC's Motion to Exclude One of Three
 7 Opinions Proffered by Waymo Expert Jim Timmins (Dkt. 1773).

8 2. I have reviewed the following documents and confirmed that only the portions
 9 identified below merit sealing:

Document	Portions to Be Filed Under Seal
McCauley Exhibit 1	Entire Document
McCauley Exhibit 2	Entire Document

10 3. The entirety of Exhibit 1 is a business agreement that contains highly confidential
 11 information terms and conditions, such as the specific obligations and responsibilities of each
 12 party, specific financial terms relating to ongoing third-party contracts, and pricing information
 13 for various technology services and equipment. This information is not publicly known, and its
 14 confidentiality is strictly maintained. I understand that disclosure of this information could allow
 15 competitors and counterparties to gain insight into how Defendants structure their business
 16 agreements, as well as specific third-party contract terms and pricing information, allowing them
 17 to tailor their own negotiation or business strategy to the detriment of Defendants.

18 4. The entirety of Exhibit 2 is an Operating Agreement for a third party that was
 19 obtained in connection with a business agreement, which contains confidential information about
 20 the operating details of the third party. This information is not publicly known, and its
 21 confidentiality is strictly maintained. I understand that disclosure of this information could allow
 22 competitors and counterparties to gain insight into how Defendants structure their business
 23 agreements with respect to certain types of third parties, such that Defendants' competitive
 24 standing would be harmed.

5. Defendants' request to seal is narrowly tailored to the portions of Waymo's Motion and its supporting papers that merit sealing.

I declare under penalty of perjury that the foregoing is true and correct. Executed this
26th day of September, 2017 in San Francisco, California.

/s/ Michelle Yang

Michelle Yang

ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. Gonzalez, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has concurred in this filing.

Dated: September 26, 2017

/s/ Arturo J. Gonzalez

ARTURO J. GONZALEZ